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 DATE FILED: 8/22/07

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

NIPPONKOA INSURANCE COMPANY
 LIMITED,

07 Civ. 5637 (PKC)

*Plaintiff,**- against -*

TOTAL TERMINALS INTERNATIONAL LLC,
 and TRANSBAY CONTAINER TERMINAL,
 INC.,

Defendants.

**JOINT STIPULATION TO TRANSFER CASE TO THE UNITED STATES
 DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA**

COME NOW the Plaintiff NipponKoa Insurance Company, Ltd., by and through its counsel of record and Defendant Transbay Container Terminal, Inc., by and through its counsel of record, and submit this Stipulation of Change of Venue Transfer to the United States District Court for the Northern District of California. It is stipulated and agreed between both the parties that the majority of the fact witnesses and documentation are located in the State of California, and therefore pursuant to the doctrine of *forum non conveniens*, the United States District Court for the Northern District of California at Oakland is a proper venue for this matter to be heard and within this Court's discretion

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this matter should be transferred thereto. Defendant Total Terminals International LLC
has not appeared and therefore their consent has not been obtained.

IT IS SO STIPULATED:

MALOOF BROWNE & EAGAN LLC

MAHONEY & KEANE, LLC

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NIPPONKOA INSURANCE COMPANY :
LIMITED, :

07 Civ. 5637 (PKC)

Plaintiff, :

- against - :

TOTAL TERMINALS INTERNATIONAL LLC, :
and TRANSBAY CONTAINER TERMINAL, :
INC., :

Defendants.
----- X

**ORDER TRANSFERRING CASE TO THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA (OAKLAND DIVISION)**

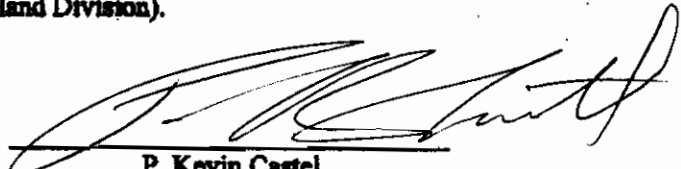
For good cause shown, this Court finds that the proper venue for this matter is the United States District Court for the Northern District of California and that pursuant to the doctrine of *forum non conveniens* this case should be transferred thereto.

IT IS THEREFORE ORDERED that this case is transferred to the United States District Court for the Northern District of California (Oakland Division).

IT IS SO ORDERED.

DATED: New York, New York

August 22, 2007


P. Kevin Castel
U.S.D.J. 